

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA, )  
)  
Plaintiff / Respondent, )  
)  
v. )  
)  
JESUS RIOS-MENDOZA )  
)  
Defendant / Petitioner. )  
)  
\_\_\_\_\_ )

Case No. 09-20119-14-JWL  
Case No. 12-2422-JWL

**MEMORANDUM AND ORDER**

By Memorandum and Order of October 16, 2012, this Court denied defendant's pro se petition to modify his sentence pursuant to 28 U.S.C. § 2255. Defendant has now filed a pro se motion for reconsideration of that order (Doc. # 1008). The Court summarily **denies** that motion for reconsideration.

Defendant argues that the Court incorrectly stated that he made four trips with drugs, when in fact three of those trips involves the transportation of money, not drugs. Actually, the Court correctly stated in its order that defendant had helped to transport "drugs or drug proceeds" on four occasions. Similarly, a quantity of drugs was attributed to defendant for all four trips because they involved drugs or drug proceeds. Finally, defendant complains of a long sentence, but he has not asserted any claim that would make the ten-year mandatory minimum sentence inapplicable to his offense. Defendant has not shown that the Court erred in denying his claim that his counsel was ineffective

in failing to argue for a minimal- or minor-participant deduction; accordingly, the motion for reconsideration is denied.

IT IS SO ORDERED.

Dated this 30th day of October, 2012, in Kansas City, Kansas.

s/ John W. Lungstrum  
John W. Lungstrum  
United States District Judge